

PROB 12C  
(1/93)Report Date: November 17, 2011  
FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

## United States District Court

for the

NOV 18 2011

Eastern District of Washington

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

## Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Jose Ventura

Case Number: 2:06CR06014-001

Address of Offender: [REDACTED] Pasco, WA 99301

Name of Sentencing Judicial Officer: The Honorable William Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: 7/16/2007

Original Offense: Transportation of a Minor With Intent to Engage in Criminal Sexual Activity, 18 U.S.C. § 2423(a)

Original Sentence: Prison - 33 Months; TSR - 36 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Jane Kirk Date Supervision Commenced: 12/1/2009

Defense Attorney: To be determined Date Supervision Expires: 11/30/2012

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PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number    Nature of Noncompliance

1

**Special Condition # 21:** You shall have no contact with any child under the age of 18, without the presence of an adult and approved in advance by the supervising officer. You shall immediately report any unauthorized contact with minor-aged children to the supervising officer.

**Supporting Evidence:** Jose Ventura is considered in violation of his term of supervised release as he had unapproved contact with his minor-aged daughter, during the month of November 2011.

On November 17, 2011, a Pasco Police Department officer contacted this officer to advise that a welfare check was completed to the defendant's residence at 412 N. Elm Street, Pasco, Washington. The officer reported the defendant's 14 year old daughter, J.V., and his sister, Rosa Merlin, were at the residence. Both individuals advised the officer that they lived with Mr. Ventura. They reported that J.V. was sleeping with the defendant in his bedroom in the evenings while Ms. Merlin slept in a separate bedroom. Ms. Merlin was an approved sponsor for the defendant, but as a sponsor she was not to leave the defendant alone with any child under the age of 18. Additionally, the defendant was not allowed to be alone in any room

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of a residence without visual supervision by the chaperone.

This officer contacted the defendant and he admitted he has been sleeping in his bedroom with his daughter while his sister was in the other bedroom. He indicated this has occurred since she moved in with him in November because they had not cleared out the additional bedroom at the residence.

2

**Special Condition # 16:** You shall actively participate and successfully complete an approved state-certified sex offender treatment program. You shall follow all lifestyle restrictions and treatment requirements of the program. You shall participate in special testing in the form of polygraphs, in order to measure compliance with the treatment program requirements. You shall allow reciprocal release of information between the supervising officer and the treatment provider. You shall pay for treatment and testing according to your ability.

**Supporting Evidence:** Jose Ventura is considered in violation of his term of supervised release as he has been terminated from sex offender treatment for noncompliance with treatment requirements.

Pursuant to the violation behavior in violation 1, Mr. Ventura's sex offender treatment counselor, Matthew Cummings, has terminated the defendant's treatment for withholding the contact with minors, and for failing to abide by the approved chaperone requirements and willfully having unsupervised contact.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 11/17/2011

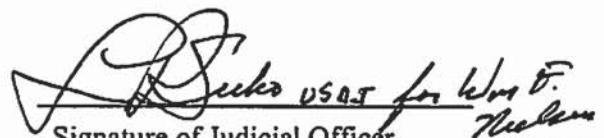
s/SanJuanita B. Coronado

SanJuanita B Coronado  
U.S. Probation Officer

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#### THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other

  
Signature of Judicial Officer  
Date 11/18/11